

Minutes of: CALIFORNIA STATE ATHLETIC COMMISSION
Meeting Specifics: Regular Commission Meeting
January 29, 2003 – 9:00 a.m.
Embassy Suites- LAX South
1440 East Imperial Avenue
El Segundo, CA 90245

1. CALL TO ORDER BY CHAIRMAN

Commissioners Present: Van Gordon Sauter, Chairman
Sanford Michelman, Vice-Chairman
Armando Vergara
John Frierson

Commissioner Absent: Al Ducheny

Staff Present: Rob Lynch, Executive Officer
Earl Plowman, Deputy Attorney General
Anita Scuri, DCA Legal Counsel
Jessica Finch, Recording Secretary

(Due to time constraints the items were heard in the following order: (1-2-3-4-6.2-6.1-9-10-11-12-7-8-5-13-14-15))

2. APPROVAL OF DECEMBER 12, 2002 COMMISSION MEETING MINUTES

Action: Motion by Commissioner Frierson and seconded by Vice-Chairman Michelman to approve December 12, 2002 meeting minutes as submitted.

Vote: Unanimous.

3. SUMMARY OF CHAIRMAN ACTIVITIES SINCE LAST MEETING

Chairman Sauter stated that he did not have any activities to report.

4. SUMMARY OF EXECUTIVE OFFICER ACTIVITIES SINCE LAST MEETING

Mr. Lynch informed the Commission that staff had received a professional boxer application from an 81 year old male named Joey Barnum. He stated that the license was denied based upon Mr. Barnum's doctor's report in which the doctor strongly advised against boxing. Mr. Lynch further stated that Mr. Barnum has 30 days to appeal the denial and will keep the Commission apprised of the appeal should it be submitted.

5. ELECTION OF OFFICERS – ACTION

Mr. Lynch stated that at the first meeting of the year the Commission is required to select a Chairman and Vice-Chairman.

Action: Motion by Vice-Chairman Michelman and seconded by Commissioner Frierson to re-elect Chairman Sauter to the position of Chairman and motion by Chairman Sauter and seconded by Commissioner Frierson to re-elect Vice-Chairman Michelman to the position of Vice-Chairman .
Vote: Unanimous on both motions.

6. APPEAL OF SUSPENSION / FINE

6.1 Anthony Lewis – dba Can’t Lewz Promotions

Mr. Lynch informed the Commission that on October 24, 2002 Mr. Lewis promoted a professional boxing event at the Hollywood Park Casino in Inglewood. Mr. Lewis issued a check to the Commission in the amount of \$3,616 for the payment of taxes, fees as well as fighters, managers and seconds licenses. This check was ultimately returned by Mr. Lewis’ bank due to non-sufficient funds. Mr. Lewis was then notified by certified mail that his 2002 professional boxing promoter license was being suspended and he was fined the sum of \$2,500 which is the maximum fine allowed by law (Business and Professions Code 18843). To date Mr. Lewis has paid the \$3,616 and the \$2,500 fine.

Mr. Lynch then stated that staff recommends that the fine be reduced to \$500 based upon the fact that Mr. Lewis has promoted numerous events, paid the \$3,616 owed and this is the first incident in which he has “bounced” a check to the Commission. He further stated that Mr. Lewis must understand that future incidents will result in a larger fine and possible loss of his license.

Action: Motion by Chairman Sauter and seconded by Commissioner Frierson to reduce the fine to \$500.
Vote: Unanimous.

6.2 Lance Spencer – dba Dollars and Spence Promotion

Mr. Lynch informed the Commission that Mr. Spencer applied for a professional boxing promoter license in July 2002. Mr. Spencer met all of the licensing criteria and was issued a temporary promoter license which expired on November 23, 2002. He explained that on November 16, 2002 Mr. Spencer promoted his first boxing event in Vallejo. Mr. Spencer issued a check to the Commission in the amount of \$2,838 for the payment of taxes, fees as well as fighters, managers and seconds licenses. The check was returned by Mr. Spencer’s bank due to non-sufficient funds. Mr. Spencer was then notified by certified letter that his 2002 temporary professional boxing promoter license was suspended and he was fined the sum of \$2,500 which is the maximum fine allowed by law (Business and Professions Code 18843). To date, Mr. Spencer has reimbursed the Commission the \$2,838 but has not paid the fine.

Mr. Lynch stated that staff recommends that the fine be reduced to \$1,000 because this was Mr. Spencer's first promotion. However, this does not set the stage for a good track record. He further stated that staff also recommends that Mr. Spencer be given another temporary promoter license prior to being granted a permanent license, should he apply in 2003. He added that Mr. Spencer must also understand that future incidents such as this will result in a much larger fine and the loss of his license.

Commissioner Frierson informed Mr. Spencer that he is both promoter and participant friendly and it is his opinion that it is very important for a minority promoter to keep his record free and clear of any problems. He further informed Mr. Spencer that he attends many events and observes many promoters and wishes to see minority promoters succeed. Commissioner Frierson advised him to take care of his business more carefully in the future. Mr. Spencer replied that he had no intention of not having the funds available, and that it was a misunderstanding on his part. He explained that he was unaware that the check had not cleared and opened a different account for his promotion therefore, leaving the first account lacking in funds. He further explained that as soon as he was aware of the problem, he immediately rectified the situation. Mr. Spencer apologized to the Commission as assured the Commissioners that this would not happen again.

Action: Motion by Chairman Sauter and seconded by Vice-Chairman Michelman to reduce the fine to \$1,000 and to grant Mr. Spencer a temporary professional boxing promoter should he apply in 2003.

Vote: Unanimous.

7. ASSIGNMENT OF OFFICIALS – INFORMATION / ACTION

Chairman Sauter informed the Commission that a few weeks prior, there had been a meeting of the Officials Committee in which the referee evaluations were discussed along with assignments.

Chairman Sauter then asked Mr. Lohuis what the process was for assignment of officials. Mr. Lohuis stated that the goal in assignment of officials is to give approximately the same amount of opportunities to all officials but to base those opportunities on the performance and ability of each official and the type of fight. Chairman Sauter then asked Mr. Lohuis to elaborate. Mr. Lohuis stated that it is his opinion that there are three distinct type of fights: world championship caliber type of fight, national televised type of fight and club fights. Mr. Lohuis added that with each type of fight there is a distinct responsibility, financial and physical implications. Chairman Sauter then asked how Mr. Lohuis assigned these different categories. Mr. Lohuis stated that the officials ability, dexterity and decision making process is taken into consideration. He further explained that in his opinion, all of the officials have the skills for club fights. He stated that in televised fights or world championship fights, mistakes that are not extremely detrimental that may be made at the club fight level, cannot be made at the higher levels. He stated that he tries to assign an official that he has the confidence and the ability to not make a mistake. Mr. Lohuis added that for world championship fights, Mr. Lynch assigns the officials. Mr. Lynch explained that the standard rule for championship fights is that the referee will always be a California

referee, and at least one judge, preferably two judges are California judges. He stated that he requests that the sanctioning bodies submit a list of their suggestions of judges and Mr. Lynch and Mr. Lohuis decide on a judge from that list.

Commissioner Frierson stated that at the Officials Committee meeting that a suggestion for a three tier ranking be made. He stated that it was his opinion that this may be a good idea, although he did not know how we could get to that point.

Action: No action was taken.

Vote: No vote was taken.

8. REFEREE EVALUATIONS – INFORMATION / ACTION

Chairman Sauter stated that approximately two weeks prior the Officials' Committee met about Referee evaluations in which both Chairman Sauter and Commissioner Frierson were present. He stated that replacement of Mr. Larry Rozadilla's services were discussed outside of the budgetary restrictions. He added that discussion was made as to how evaluations would be made. Chairman Sauter stated that the referees present recommended that they evaluate themselves by a master class of referees and judges created by the Commission. He added that this master class would also provide remedial instruction to the referees if need be. Chairman Sauter stated that it was not discussed as to the details of how to identify this class nor how they would be compensated or level of work necessary to provide uniform frequency or standards or how to evaluate the pool nor how the remedial instruction would be done. He explained that there was a strong feeling that the process of having the pool perform the primary task of evaluation might be the best way to go. He further explained that the issue of compensation and civil service status may be complex.

Mr. Lynch stated that at the meeting he asked if a judge could do his duty as a judge and also evaluate a referee, as Mr. Rozadilla sometimes had in the past. He stated that he was told at that meeting that it could be done. He explained that if the evaluator was working as a judge, then he or she would be compensated in the capacity as a judge by the promoter.

Vice-Chairman Michelman stated that he was unclear as to the "Master Referee" concept and asked for clarity. Mr. Jack Reiss stated that the concept of the Master Official/Referee would be one of the current referee or judges. He explained that it would be a way to tap the resources of the senior officials with the most experience. Chairman Sauter then asked if the Master Official class would then no longer referee. Mr. Reiss stated that the Master class would step down from refereeing. Chairman Sauter then asked if this class would be senior as far as in chronological sense or skills. Mr. Reiss replied that it would be qualifications and demonstrative experience. Mr. Reiss further explained that the concept was to chose those with a variety of experience proven over time. Chairman Sauter asked if the class would no longer be refereeing who then would referee the championship bouts. Mr. Reiss stated that the concept was to have four or five in the master class chosen. These four or five may or may not currently be refereeing, as in Mr. Chuck Hassett's case, but may have a wealth of knowledge in this area. Mr. Reiss further explained that pulling these four or five master officials could be done without diminishing the resources of the world class officials. Mr. Martin Denkin stated that although he is currently a

referee with a large knowledge in the ring, he would be willing to step down and evaluate. He believed that this master class would be very equitable to all being evaluated due to the fact that they are being evaluated by several people and on a constant basis with guidance to improve. Vice-Chairman Michelman asked if he understood that the Master Officials would no longer be refereeing, but would be evaluators and judges only. Mr. Reiss stated that yes, that was correct. Mr. Reiss further explained that the concept was to have the Master Official judge at the event and also evaluate the referees who worked the same event.

Commissioner Frierson stated that since Mr. Chuck Hassett and Mr. Pat Russell were not present and that they were the main participants in this concept, that this should be put off until they could attend a meeting to discuss the particulars. Chairman Sauter stated that discussion of the concept at this time would be valuable for another meeting to discuss the particulars.

Chairman Sauter then asked how many people, theoretically, would be in the Master Official class. Mr. Reiss responded that Mr. Russell suggested five. Mr. Reiss stated that mathematically the five would be correct for full coverage of every official for every event. Chairman Sauter asked if there were fewer evaluators, would the consistency of the evaluations have better standards. Mr. Lohuis stated that most officials are currently working 14 or 15 events a year, and if the Master Official are working more than the average official, there is bound to be jealousy. Mr. Reiss stated this may not be a problem, that the compensation for the evaluator would be working more shows than the average official.

Mr. Martin Denkin stated that it was his belief that an evaluator would not be able to judge and evaluate the referee at the same time. It was his belief that judging a bout would take a person's complete attention and could not be deterred by evaluating the referee. Chairman Sauter then asked if an evaluator could do both. Mr. Reiss stated that although he has never done it, he believes that it could be done. Mr. Lohuis stated that it was his belief that an evaluator could not perform his function properly and judge at the same time. Chairman Sauter concurred with this statement.

Chairman Sauter then asked if this class would be of those who are at retirement age. Mr. Reiss stated that it would be a smooth transition for those who are willing to retire regardless of age. Mr. Denkin suggested that the current pool of referees and judges be gathered together to vote on who they would like to see in the class and once those results were in, find out if those chosen would be willing to undertake evaluating with the approval of the Commission. Chairman Sauter stated that this may not work as to whether or not the class chosen would be qualified to evaluate. Commissioner Vergara then asked how many people do we currently have licensed as judges and referees. Mr. Lohuis stated that there were approximately 22 referees and 18 judges.

Chairman Sauter then asked if a Master Official who had not refereed a championship bout could evaluate someone who is doing a championship bout. Mr. Denkin stated that a Master Official could evaluate in that scenario. He gave the example that some of the best cornerman/trainers in the world have never been fighters or have been some of the worst fighters. He added that knowledge of refereeing is what is needed not necessarily the best referees. Vice-Chairman Michelman then asked if others outside of the current referee/judge pool would be considered. Mr. Reiss stated not outside the current pool because the current referees want to be evaluated by

their peers whom they trust and respect. Again he reiterated that the evaluator does not necessarily have to be someone who was a great referee.

Chairman Sauter then suggested that a meeting be held with the officials to discuss this item further with a couple of Commissioners, Mr. Lynch and legal counsel. Chairman Sauter suggested that this meeting be held in West Hollywood / Beverly Hills and last approximately two and a half hours. Mr. Plowman suggested that the meeting be held about two weeks prior to the next Commission meeting. Chairman Sauter then suggested that ideas brought to this forum be presented in written form for clarity.

Chairman Sauter then instructed staff to notify all officials of the meeting with a request that they respond as to whether or not they will be attending.

Action: No action was taken.

Vote: No vote was taken.

(The circumstances of the previous Temecula event and subsequent comments by the HBO commentators were discussed at this time)

9. USA BOXING INC. SOUTHERN / BORDER REGION – INFORMATION /

ACTION

Mr. Lynch informed the Commission that the Commission has full jurisdiction over amateur boxing, however Business and Professions Code Section 18646 states:

AMATEUR BOXING, WRESTLING AND FULL CONTACT MARTIAL ARTS CONTESTS.

- (a) This chapter applies to all amateur boxing, wrestling, and full contact martial arts contests.
- (b) The Commission may, however, authorize a non-profit boxing, wrestling, or martial arts club or organization, upon approval of its bylaws, to administer its rules and may, therefore, waive direct Commission application of laws and rules, including licensure, subject to the Commission's affirmative finding that the standards and enforcement of similar rules by that club or organization meet or exceed the safety and fairness standards of the Commission. The Commission shall review the performance of any such club or organization annually.

Mr. Lynch explained that he had invited representatives from the Southern Region (Los Angeles area) and Border Region (San Diego area) to submit an annual report to the Commission.

Mr. Daniel Jimenez, Vice-President of the Southern Region and Chief of Officials, stated that he has been the Chief of Officials just over two years and had implemented a "grass roots" format for the officials to get to know them. Mr. Jimenez stated he currently has approximately 32 officials currently working and did not have to cancel a single show last year. He added that he conducts monthly meetings with the officials to discuss performance and problem solving. Mr.

Jimenez stated the only problem is the lack of ringside physicians. He stated that there are currently 93 clubs to date with approximately 1400 athletes in Southern California with another 1400 non-athletes (trainers, cornerman, etc.). He explained that USA Boxing is a spring board for the athletes becoming professional and is dedicated to producing top notch competitors. Commissioner Vergara then asked of the 32 officials, how many were women. Mr. Jimenez stated that there are currently 9 female judges. Mr. Jimenez stated that he encourages females to apply as both a referee and a judge as long as they are qualified.

Vice-Chairman Michelman asked Mr. Jimenez what encouraged him to get involved with USA Boxing. Mr. Jimenez stated that he was a sponsor of professional boxing for many years. He stated that with his son boxing amateur he noticed that there was a lack of quality and quantity of officials. He stated he felt that with his knowledge of running a successful business he felt that he could contribute to USA Boxing. He explained that he loves the sport and the kids involved.

Action: No action was taken.

Vote: No vote was taken.

10. BAD CHECK STATUS - INFORMATION

Mr. Lynch stated that at the December 12, 2002 meeting, the Commission suggested that staff monitor incoming checks and report back to the Commission. He explained that since the December meeting to today's date there have been no checks that have "bounced".

11. LENGTH OF SUSPENSIONS – CALIFORNIA vs. OTHER STATES – INFORMATION / ACTION

Mr. Lynch informed the Commission that at the December 12, 2002 meeting under agenda item "Agenda Items for Future Meetings" a request was made to compare the length of California knockout suspensions with those of other states. Mr. Lynch explained that he posed the following question to the members of the Association of Boxing Commissions:

A boxer gets KO'd and is given a 30/15 day suspension by another state. Would you let him or her fight in your state if he or she has met the 30/15 day criteria but your state requires a 45/30 day suspension?

Mr. Lynch stated that he had received 19 responses to the question. Fifteen states said that they would permit the boxers to box if he had completed the suspension given by the state in which the bout occurred. Three states and Dr. Wallace responded that they would not permit the boxer to box.

He explained that if the Commission decides to vote on this Item, staff recommends that we honor the state that initiates the suspension and not increase the suspension to meet California standards. This would be an administrative nightmare seeing that our fighters fight all over the world and it would add an unnecessary increase in workload.

Vice-Chairman Michelman then asked Mr. Lynch what the increase in workload would be. Mr. Lynch responded that staff would have to keep track of each participant coming to California. Vice-Chairman Michelman asked if Fightfax.com was checked prior to the boxers participating in California. Mr. Lynch explained that the national suspension list (Fightfax.com) was checked for each fighter, but if that fighter has already completed a suspension, the name of that fighter was then removed from the list. Mr. Lynch explained that once the name is removed, we would have to pull each fighters record and check to see if they had been knocked out and where and check that state's suspension criteria so see if it is the same as California.

Commissioner Frierson asked Mr. Lynch which three states said that they were raise the suspension to their standards. Mr. Lynch responded that the three were: Utah, Wisconsin, and Florida.

Vice-Chairman Michelman stated that his opinion is that if we have decided in California that the suspension is 45/30 predicated on a certain event, then the fact that it occurred in another state does not change the conclusion that the suspension should be 45/30 days.

Commissioner Frierson stated that due to the current State budget position, discouraging fighters to come to California due to stringent criteria, keeping health and safety in mind, would not be in the Commission's best interest. He further stated that it was not the larger boxing states that felt that they would impose a higher suspension. He added that he supported the staff recommendation to keep the current policy in place and not to increase a suspension imposed by another state. Commissioner Vergara agreed and stated he would second that motion.

Chairman Sauter then asked Mr. Lynch if the recommendation was based on workload increase or a safety issue. Mr. Lynch stated that it was due to a workload increase. Vice-Chairman Michelman asked what exactly that increase would be. Mr. Dean Lohuis gave the following scenario:

A boxer is KO'd 30 days prior and is fighting in California on the 40th day. On this 40th day, staff checks the national suspension list and the fighter is not listed due to the fact there is no suspension.

Mr. Plowman informed the Commission that Fightfax.com is a fast-moving, regenerating information site, not a historical database for suspensions. Mr. Lohuis then stated that the promoters could be required to provide a Fightfax.com fight record for each fighter and that record could be reviewed for a recent KO. Chairman Sauter then asked Mr. Lohuis how difficult it would be for the promoter to obtain this information. Mr. Lohuis stated that the cost to the promoter by Fightfax.com is \$3 per record per fighter. Chairman Sauter then asked if this would be burdensome on the promoters. Mr. Lohuis stated that it would not. Chairman Sauter then asked the Commission if anyone had any concerns in asking the promoters to provide the records for the promoters. There were no concerns from the Commissioners.

Mr. Earl Plowman stated that there may be a legal problem with imposing a suspension on a fighter who is not a California licensee. He explained that if a fighter comes to California with a completed application the Commission would have to have a basis for denial for his license and

not suspend the fighter due to the fact that California does not have jurisdiction over that person until they become a California licensee. Vice-Chairman Michelman then asked if the application could be modified to ask if the fighter is on suspension or has been on suspension for the last 45 days. Ms. Scuri replied that regulation should be drafted to reflect that California will uphold its criteria regardless of the State of origin of the initial suspension. Ms. Scuri stated that a combination of many aspects would need to be considered in order to implement this process.

Chairman Sauter then suggested that staff draft a way to have the fighters comply with California standards and submit it at the next Commission meeting. The Commissioners all agreed with this suggestion.

12. COMMITTEE REPORTS – INFORMATION / ACTION

12.1 Arbitration Committee Report

Mr. Plowman stated that a report will be available at the next meeting.

12.2 Pension Plan Review Committee Report

Mr. Lynch stated that a pension report will be available at the next meeting.

12.3 Medical and Safety Standards Advisory Committee Report

These items were not heard due to Dr. Paul Wallace's absence.

12.3.1 Weigh-ins and Weight Gain Prior to Bout

12.3.2 Injury Update

12.3.3 Physician / Referee Communication

12.4 Officials Committee Report

This item was not heard.

12.4.1 Policies

12.5 Amateur Boxing Committee Report

Commissioner Vergara stated that he had attended many recent tournaments and has been attending as many events (amateur and professional) as possible.

13. AGENDA ITEMS FOR FUTURE MEETINGS

Response to HBO and how to respond to the media in the future

Northern California vs. Southern California

Referee Evaluations

Mixed Martial Arts Regulations

Five-Second Rule

TV agreements as it applies to officials compensation and taxes

Greg "Kazja" Patschull

Tribal Relations

Action:

Vote:

14. COMMISSIONERS' COMMENTS AND/OR RECOMMENDATIONS

Commissioner Frierson stated that communication between staff and the Commissioners be given some attention regarding upcoming events.

15. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mr. Greg “Kazja” Patschull stated that he had submitted questions to Mr. Lynch to which he would like a response. He then asked for the December minutes and Mr. Plowman removed his minutes from his binder and physically handed them to Mr. Patschull since they were approved at this meeting. Mr. Patschull then asked to be placed on the next meeting agenda.

The meeting was then adjourned at

The draft minutes were prepared by:

JESSICA FINCH

DATE

The final minutes were prepared by:

JESSICA FINCH

DATE